



94-123

WMB

SEP 30 4 38 AM '94

DOCKET FILE COPY ORIGINAL

RECEIVED

SEP 30 1994

September 27, 1994

FCC MAIL ROOM

The Honorable Reed Hundt  
FCC  
1919 M St., NW, Room 814  
Washington, DC 20554

Dear Commissioner Hundt:

I understand that at its October meeting, the Commission may initiate a proceeding looking to relax the Prime Time Access Rule. I strongly urge you to proceed with caution in this area.

The off-network rule has successfully promoted diversity and competition in local television markets. In fact, the off-network portion of the Prime Time Access Rule has been instrumental in creating a competitive independent television industry.

Without this longstanding rule of the Commission, my station will have a difficult, if not impossible, time securing the rights to top quality off-network programming to air during the access period. The market in which we operate will change significantly, jeopardizing what has been a very successful innovation by the Commission to ensure diverse offerings.

I recognize that it is incumbent upon the Commission to review its rules periodically to ensure their continued effective operation, and PTAR is no exception. Please recognize, however, that while the off-network rule itself is simple in nature, the potential ramifications of abolishing such a rule are complex. For this reason, I would only hope that you will give this matter your fullest and most deliberate consideration before taking any action.

Thank you for your time and attention to my comments.

Sincerely,

Martin Brantley  
President and General Manager

MB/cp

No. of Copies rec'd  
List ABCDE

8



94-123

MMB

DOCKET FILE COPY ORIGINAL

SEP 30

4 38 AM '94

September 26, 1994

RECEIVED

Federal Communications Commission  
Office of Chairman Reed Hundt  
1919 M Street, N.W.  
Washington, D.C. 20554

SEP 30 1994

FCC MAIL ROOM

Dear Chairman Hundt:

I understand that at its October meeting the Federal Communications Commission may initiate a proceeding looking to relax the Prime Time Access Rule. On behalf of KOFY TV-20, I strongly urge you to retain the "off-network" portion of the rule.

The off-network rule is vitally important to my station and is absolutely necessary to promote diversity and competition in local television markets. The FCC has always posited the importance of local control of television stations. In fact, the off-network portion of the Prime Time Access Rule has been instrumental in creating a competitive independent television industry. It is also an essential element in the Commission's long held goal of creating new off-air television networks.

It is already very difficult for independently owned stations to bid for programming against the major conglomerates which dominate the market. Here in the Bay Area, KOFY TV-20 is one of the last independently owned major-market television stations. Without the off-network rule, independent stations will experience even more difficulty securing the rights to top quality off-network programming to air during the access period. This in turn will have a negative impact on my station's ability to finance programming for other dayparts, including local news and public affairs programming.

It is no secret that major changes are taking place in the broadcast industry. Mega mergers between the big three networks and major program producers appear to be on the horizon. With the big three networks poised to enter the off-network and first run syndication market, KOFY TV-20 will have a difficult time obtaining the rights to programming. Eliminating the off-network rule may make it impossible. Without PTAR and the off-network portion of the rule, the American public will receive all of its programming from a few telecommunications giants. Such a result is not in the public interest, as the major conglomerates are insensitive to the needs of the local community.

No. of Copies rec'd  
List ABCDE

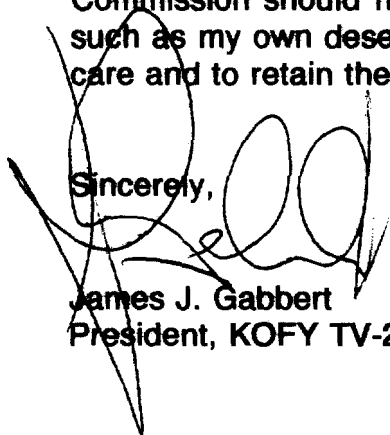
8



If the FCC intends to examine this issue, it should do so in the context of a neutral Notice of Inquiry. At this time the FCC should not proceed directly to rule making. There are too many unresolved and complex issues which have not been discussed on record.

Proposals to eliminate the off-network provision of PTAR will return us to a system where the three major networks can squeeze out independent producers and stifle competition from stations not affiliated with the big three networks. The Commission should not abdicate its responsibility to promote competition. Stations such as my own deserve a chance to compete. I urge you to proceed with extreme care and to retain the off-network rule.

Sincerely,



James J. Gabbert  
President, KOFY TV-20